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C O N F I D E N T I A L SECTION 01 OF 04 BERLIN 000642

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SUBJECT: GERMANY: CDU/CSU STIRS THINGS UP WITH PROPOSED
SECURITY STRATEGY

Classified By: POLITICAL MINISTER COUNSELOR JEFFREY RATHKE. REASONS: 1.
4 (B) AND (D).

11. (C) Summary: The parliamentary caucus of the Christian Democratic Union (CDU) and its Bavarian sister party, the Christian Social Union (CSU), held an international conference in Berlin May 7 to unveil and seek comment on a 13-page proposal for a new German security strategy. The paper proposes some interesting and innovative ways in which Germany could better confront today's security challenges, including establishing a U.S.-style National Security Council, eliminating the traditional divide between external defense and homeland security, and ensuring that Bundeswehr units that are part of multinational rapid reaction forces can be deployed more quickly. It also endorses missile defense (MD) and a continued German role in NATO nuclear burden-sharing. The CDU/CSU caucus proposals have elicited extensive public debate and controversy, including with the Social Democratic Party (SPD), the CDU/CSU's partner in the current Grand Coalition government. Chancellor Merkel took some of the oxygen out the debate when she announced that adopting a new security strategy is a long-term project and not something to be decided "in this legislative period." Nevertheless, we are hopeful that in the shorter term, we can capitalize on the debate launched by the CDU/CSU to bring Germany along on MD, make the Bundeswehr a more reliable contributor to multinational rapid reaction forces and increase Germany's capacity to deploy police officers and other civilians on overseas missions. End Summary.

A National Security Council

12. (C) Even before the CDU/CSU strategy proposal (available in English at www.cduscu.de) was officially unveiled May 7, leaders from the SPD had come out against it, focusing their objections on the proposal to create an NSC and ignoring many other proposals in the draft. All the opposition parties dismissed the idea as well, including the Free Democratic Party (FDP), which the CDU/CSU views as its preferred coalition partner after the 2009 Bundestag election. The main argument against an NSC is that it does not fit into Germany's constitutional framework, since Germany has a parliamentary system and the chancellor is not the commander-in-chief. Opponents have also expressed concerns that establishing an NSC would tend to increase the influence and power of the CDU-controlled Chancellery at the expense of the SPD-controlled Federal Foreign Office. Smaller political parties (like the FDP) are especially sensitive to that since they have tended to hold the foreign minister position in coalition governments.

13. (C) FM Steinmeier himself criticized the NSC idea in a May

5 speech on the European role in international security. He said creating an NSC was an "old dream" of "self-styled strategists" who wanted to "override the structure of the German Basic Law" and to replace the "confident tradition of civilian foreign policy" with "classic defense policy thinking." Steinmeier claimed that whoever wanted to convince themselves that creating an NSC would be "a step into the past and above all, a step in the wrong direction" only had to study U.S. documents from spring 2003, before the start of the Iraq War: "The NSC was the main instrument of a determined policy, by which contradictory information to the prevailing analysis and assumptions were suppressed." In a May 7 meeting with MFA State Secretary Tiemann, who is responsible for supporting Steinmeier in his role as Vice Chancellor, the DCM took the opportunity to protest Steinmeier's comments about the role of the U.S. NSC as unfounded and unacceptable. Tiemann took the point that the comments were inappropriate.

Increasing the Deployability of the Bundeswehr

¶4. (SBU) Under the current German Deployment Law, which is based on a 1994 landmark ruling by the German Constitutional Court, the deployment of German armed forces in overseas operations requires in most cases the prior approval of the Bundestag. Many in the CDU/CSU recognize that German units assigned to integrated multinational rapid response formations and commands like the NATO Response Force (NRF), EU Battle Groups, SHAPE HQ and NATO AWACS, have to be ready to deploy at the onset of a crisis and cannot afford to wait

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in all cases for the Bundestag to review and vote on a mandate.

¶5. (SBU) But the CDU/CSU's call for changes to the Deployment Law to allow for quick deployment of these units (through, perhaps, a general authorization from the Bundestag at the time Germany commits to provide such units) was immediately rejected by SPD Chairman Kurt Beck and leading figures from all the opposition parties. They claimed that a Constitutional Court decision announced on the very same day as the CDU/CSU conference, ruling that the participation of German air crews in the 2003 NATO AWACS mission in Turkey was unconstitutional (reftel), had essentially pre-empted this CDU/CSU initiative.

Deploying Military Force Without An UNSCR

¶6. (SBU) The CDU/CSU paper emphasizes that Germany should be prepared, when necessary, to deploy military forces on the basis of the self-defense provisions of the UN Charter (Article 51) or in pursuit of the Charter's fundamental goals (humanitarian intervention). While there is, in fact, a precedent for humanitarian intervention (the 1999 NATO air campaign in Kosovo), most German officials have tended to characterize this as sui generis, never to be repeated. While this part of the CDU/CSU strategy proposal did not receive any explicit support when it was unveiled last week, both SPD foreign policy spokesman Gert Weisskirchen and deputy parliamentary caucus chairman of the Left Party Wolfgang Neskovic have since publicly raised the possibility of such a humanitarian intervention in the case of Burma if the military junta there continues to block the delivery of urgently needed international assistance. Weisskirchen later backed away from these comments, but the discussion he stoked continues.

Endorsement Of Missile Defense

¶7. (C) The CDU/CSU paper also welcomes development of missile defense, agreeing that one advantage of MD is that it makes pursuing missile technology and nuclear weapons "less

attractive" for rogue states and is therefore "in Germany's interest." This positive endorsement of MD is unlikely to be seconded by the SPD and FM Steinmeier, who remains unenthusiastic about the project, even while allowing work on a possible future NATO MD system to go forward.

Creating A "Networked" Homeland Security System

¶18. (U) The CDU/CSU paper argues that in confronting the new threats posed by international terrorism, the old division between internal and external security can no longer be maintained. In particular, the paper proposes legal changes that would allow the Bundeswehr to deploy military forces within Germany to perform certain specified functions (for example, engineering tasks, nuclear/biological/chemical defense, medical assistance) in support of local and state officials whose resources may be overwhelmed in trying to respond to a natural catastrophe or terrorist attack. For historical reasons, this proposal has generated a neuralgic reaction from other political parties, who have rejected the idea of deploying German soldiers within Germany except in very narrow, well-defined circumstances.

Increasing Capacity To Deploy More Civilians Abroad

¶19. (U) The paper notes that there is an increasing demand for police officers and other civilian personnel to be deployed on stabilization missions and that the current supply is insufficient. Making an analogy to Bundeswehr transformation, the paper proposes formally evaluating the need and then acting to fill the gaps in personnel, training, equipment and the legal basis for deployment. The proposal is somewhat ironic given that CSU-controlled Bavaria is one of the few German states that has never contributed police officers to international missions. Unlike many of the other far-reaching ideas in the CDU/CSU paper, this proposal has a good chance of being endorsed by the SPD and other parties and acted upon in the short term.

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"Not This Legislative Period"

¶10. (SBU) While endorsing the general lines of the proposed strategy document, which is very clearly a CDU/CSU caucus initiative and not a government document, Chancellor Merkel has not actively promoted it. In fact, in the wake of public controversy regarding the proposals on creating an NSC and increasing Bundeswehr deployability, Merkel quickly announced that adopting a new security strategy is a long-term project and not something to be decided "in this legislative period."

¶11. (SBU) At the May 7 CDU/CSU conference where the strategy paper was formally unveiled, neither Defense Minister Jung nor Interior Minister Schaeuble directly addressed the main proposals in the security strategy, sticking instead to general points about the need to adapt to address 21st Century threats. While endorsing the call for a greater involvement of the Bundeswehr in domestic security, Schaeuble spent more time talking about his efforts in the global war on terrorism. He defended the exchange of information and intelligence with the United States and even addressed Guantanamo, supporting the general German view that Guantanamo be closed, but emphasizing that the problems that required the establishment of Guantanamo also be addressed.

International Commentary

¶12. (U) The May 7 conference included invited commentators from France, the UK and the U.S., who were generally complimentary of the CDU/CSU document. Professor Francois

Heisbourg from the Foundation for Strategic Research in Paris noted that France is in the process of preparing its own security white paper and emphasized that European efforts on common defense needed to be focused "less on process and more achieving concrete results." UK Conservative Shadow Security Minister Baroness Pauline Neville Jones praised the CDU/CSU paper for taking a "holistic" approach and eliminating the traditional differentiation between external and internal security. She noted that the Conservatives plan to create their own national security council if they come into office, which will incorporate home affairs.

¶13. (C) National Defense University Senior Research Fellow Leo Michel said while the CDU/CSU strategy itself was good, it was too divorced from the issue of capabilities. He wondered how Germany could do more when there were apparently no plans to increase the resources devoted to defense (currently only about 1.3% of GDP, far below the NATO goal of 2%). He also noted that while the paper acknowledged Germany's dependence on NATO's nuclear deterrence for its security, it did not address how Germany planned to contribute to that deterrence once the aging dual-capable aircraft now in its inventory are retired from service. Michel cautioned against viewing the creation of an NSC as a panacea, pointing out that the U.S. NSC, even with a staff of 200, is "overwhelmed" in fulfilling its coordination responsibilities and is limited by the fact that it does not exercise command or budgetary authority over other government agencies.

Comment

¶14. (C) The fact that a Bundestag caucus even dared to draft a proposal for Germany's security strategy is in itself a significant positive development, given the traditional reluctance here to even acknowledge that Germany might have legitimate national security interests. A new generation of strategic thinkers has emerged inside the CDU/CSU caucus, led by deputy caucus chair Andreas Schockenhoff (who oversaw and led the production of the document) and foreign policy spokesman Eckart van Klaeden. Unfortunately, it is a little late in the current Grand Coalition government to take these kinds of initiatives, as Chancellor Merkel has herself admitted by ruling out any decisions before expected Bundestag elections in the fall of 2009. Nonetheless, this is a debate the U.S. should encourage, and Mission Germany will further consider how we best can contribute. In the shorter term, we hope to capitalize on the debate launched by the CDU/CSU to bring Germany along on MD, make the Bundeswehr a more reliable contributor to multinational rapid reaction

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forces, and increase Germany's capacity to deploy police officers and other civilians on overseas missions.

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